

House Bill 1555 (COMMITTEE SUBSTITUTE)

By: Representatives Davis of the 109<sup>th</sup>, Mosby of the 90<sup>th</sup>, and Barnes of the 78<sup>th</sup>

A BILL TO BE ENTITLED

AN ACT

To amend an Act entitled "An Act to provide a new charter for the City of Stockbridge," approved April 4, 1991 (Ga. L. 1991, p. 4359), as amended, so as to provide for council districts; to provide for the election of the mayor and councilmembers; to provide for residency; to provide for submission of this Act for preclearance under the federal Voting Rights Act of 1965, as amended; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

An Act entitled "An Act to provide a new charter for the City of Stockbridge," approved April 4, 1991 (Ga. L. 1991, p. 4359), as amended, is amended by striking in its entirety Section 2.11 and inserting in lieu thereof the following:

**"SECTION 2.11.**

(a) At any election, all persons who are qualified under the Constitution and laws of Georgia to vote for members of the General Assembly of Georgia and who are bona fide residents of said city shall be eligible to qualify as voters in the election.

(b) All primaries and elections shall be held and conducted in accordance with Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code," as now or hereafter amended.

(c) For purposes of electing members of the commission of the City of Stockbridge, the City of Stockbridge is divided into five council districts. One member of the board shall be elected from each such district. The mayor shall be elected from the city at large. The five council districts shall be and correspond to those five numbered districts described in and attached to and made a part of this Act and further identified as Plan Name:stockccfinal Plan Type: Local User: Gina Administrator: H109.

(d) When used in such attachment, the terms 'Tract' and 'BG' (Block Group) shall mean and describe the same geographical boundaries as provided in the report of the Bureau of

1 the Census for the United States decennial census of 2000 for the State of Georgia. The  
2 separate numeric designations in a Tract description which are underneath a 'BG' heading  
3 shall mean and describe individual Blocks within a Block Group as provided in the report  
4 of the Bureau of the Census for the United States decennial census of 2000 for the State  
5 of Georgia. Any part of the City of Stockbridge which is not included in any such district  
6 described in that attachment shall be included within that district contiguous to such part  
7 which contains the least population according to the United States decennial census of 2000  
8 for the State of Georgia. Any part of the City of Stockbridge which is described in that  
9 attachment as being in a particular district shall nevertheless not be included within such  
10 district if such part is not contiguous to such district. Such noncontiguous part shall instead  
11 be included within that district contiguous to such part which contains the least population  
12 according to the United States decennial census of 2000 for the State of Georgia. Except  
13 as otherwise provided in the description of any council district, whenever the description  
14 of such district refers to a named city, it shall mean the geographical boundaries of that city  
15 as shown on the census map for the United States decennial census of 2000 for the State  
16 of Georgia.

17 (e) All persons serving on the council on January 1, 2006, or persons elected or appointed  
18 to serve in the event of vacancies shall complete the terms for which they were elected or  
19 appointed. Each person giving notice of candidacy for a city council seat shall designate  
20 the district for which such candidate is offering. Councilmembers from Districts 1, 2, and  
21 3 shall be elected in 2007 for terms of four years and until their respective successors are  
22 elected and qualified. The mayor and councilmembers from Districts 4 and 5 shall be  
23 elected in 2009 for terms of four years and until their respective successors are elected and  
24 qualified. Thereafter, the mayor and each councilmember shall be elected quadrennially in  
25 the year in which the term of the office expires.

26 (f) In order to be elected or appointed as a member of the board from a council district, a  
27 person must have had that person's legal residence in that district at the time of qualifying  
28 for election or at the time of appointment for at least 12 months and, if elected, must  
29 receive the number of votes cast as required by general law for that office in that district  
30 only. Only electors who are residents of that council district may vote for a member of the  
31 board for that district. At the time of qualifying for election as a member of the board from  
32 a council district, each candidate for such office shall specify the council district for which  
33 that person is a candidate. A person elected or appointed as a member of the board from  
34 a council district must continue to reside in that district during that person's term of office  
35 or that office shall become vacant."

**SECTION 2.**

The commission of the City of Stockbridge shall through its legal counsel cause this Act to be submitted for preclearance under the federal Voting Rights Act of 1965, as amended; and such submission shall be made to the United States Department of Justice or filed with the appropriate court no later than 45 days after the date on which this Act is approved by the Governor or otherwise becomes law without such approval.

**SECTION 3.**

All laws and parts of laws in conflict with this Act are repealed.